

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

James Ray Hopkins,)	C.A. No. 0:06-2788-PMD-BM
)	
Plaintiff,)	
)	
vs.)	
)	<u>ORDER</u>
Sheriff Lee Foster; FNU Gundler, Captain)	
at Newberry County Detention Center;)	
Terry Bowers, Lieutenant at Newberry)	
County Detention Center,)	
)	
Defendants.)	
_____)	

This matter is before the court upon the magistrate judge's recommendation that defendant Sheriff Lee Foster's motion for summary judgment be granted. The record includes the report and recommendation of the United States Magistrate Judge made in accordance with this Court's Order of Reference and 28 U.S.C. § 636(b)(1)(B). Because plaintiff is pro se, this matter was referred to the magistrate judge.¹

This Court is charged with conducting a de novo review of any portion of the magistrate judge's report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636(b)(1). No objections have been filed to the magistrate judge's report.

A review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. For the reasons articulated by the magistrate judge, it is herewith

ORDERED that defendant Sheriff Lee Foster's motion for summary judgment is

¹Pursuant to the provisions of Title 28 United States Code, § 636(b)(1)(B), and Local Rule 73.02(B)(2)(d), D.S.C., the magistrate judge is authorized to review all pretrial matters and submit findings and recommendations to this Court.

GRANTED, and he is dismissed as a party to this case.

IT IS FURTHER ORDERED, that the magistrate judge's report and recommendation is adopted as the order of this Court.

AND IT IS SO ORDERED.



PATRICK MICHAEL DUFFY
United States District Judge

Charleston, South Carolina
April 12, 2007

NOTICE OF APPEAL

Plaintiff is hereby notified that he has the right to appeal this Order within thirty (30) days from the date hereof pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.